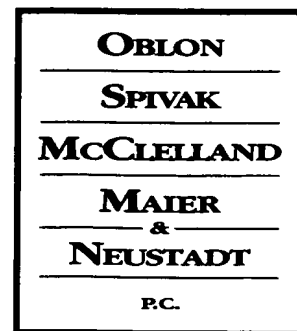




Docket No.: 197748US0PCT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/674,280  
Applicants: Michinobu NAKAMURA, et al.  
Filing Date: December 21, 2000  
For: PROCESS FOR PRODUCING PROTEIN  
HYDROLYZATE  
Group Art Unit: 1651  
Examiner: Afremova  
Allowed: August 30, 2004

SIR:

Attached hereto for filing are the following papers:

**Petition Under 37 C.F.R. §1.181(a)(3)  
Form PTO 1449**

**Cited References (2)**

**Copy of Date-stamped Filing Receipt dated October 30, 2000**

**Copy of International Search Report filed October 30, 2000**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon

\_\_\_\_\_  
Vincent K. Shier, Ph.D.

Registration No. 50,552

Joseph Scafetta, Jr.

Registration No. 26,803

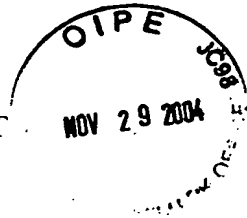
Customer Number

**22850**

(703) 413-3000 (phone)

(703) 413-2220 (fax)

Docket No.: 197748US0PCT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

Michinobu NAKAMURA, et al.

: EXAMINER: AFREMOVA

SERIAL NO.: 09/674,280

: GROUP ART UNIT: 1651

FILED: DECEMBER 21, 2000

: ALLOWED: AUGUST 30, 2004

FOR: PROCESS FOR PRODUCING PROTEIN HYDROLYZATE

PETITION UNDER 37 C.F.R. §1.181(a)(3)

COMMISSIONER FOR PATENTS

Alexandria, VA 22313-1450

SIR:

Petitioners respectfully request the Office to invoke the supervising authority of the Commissioner and consider Petitioners' Comments on Statement of Reasons for Allowance, concurrently filed herewith, and also indicate that the references listed on the International Search Report filed on October 30, 2000, have been considered. Petitioners respectfully request that the Examiner acknowledge consideration of same by providing Applicants with an initialed copy of Form PTO-1449 enclosed herewith listing these references. Petitioners submit herewith a copy of the International Search Report as filed on October 30, 2000, along a copy of the date-stamped filing receipt evidencing the timely filing thereof, and copies of the English Abstracts for the references for which consideration is requested.

For the reasons given above, this petition should be GRANTED.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon



Vincent K. Shier, Ph.D.

Registration No.: 50,552

Joseph Scafetta, Jr.

Registration No. 26,803

Customer Number

**22850**

Tel: (703) 413-3000

Fax: (703) 413-2220

(OSMMN 08/03)

O.S.&M. File No. 197748US0PCT By NFO/cs FF Due Date 10/30/00

**Serial No. New U.S. PCT Application based on PCT/JP99/02171**

**In the Matter of the Application of Michinobu NAKAMURA, et al.**

**For METHOD FOR PRODUCING HYDROLYZED PROTEIN**

**The following has been received in the U.S. Patent Office on the date stamped hereon:**

**[►] 36 pgs. Specification 6 Claims (English Translation)    Sequence Listing**

**[ ] Combined Declaration, Petition & Power of Attorney ( \_ pages)**

**[ ] Petition of Revive Under 37 C.F.R. 1.137 (b)**

**[►] Notice of Priority;**

**[>] Check for \$ 990.00;**                      **[>] Dep. Acct. Order Form**

[ ] Assignment \_\_\_\_\_ pages/PTO-1595

**[►] Drawings 2 sheets**

**[►] PCT Transmittal Letter**

**[➤] Preliminary Amendment**

**[►] PCT/IB/304**

**[►] PCT/IB/308**

**[ ] International Preliminary Examination Report**

☐ Information Disclosure Statement; ☐ PTO-1449

### [ ] Cited References ( )

☐ Statement of Relevancy      ☐ List of Related Cases

## **[►] International Search Report**

**[➤] Request for Consideration of Documents Cited in International Search Report**

**[ ] Letter Regarding Translation of Annexes**

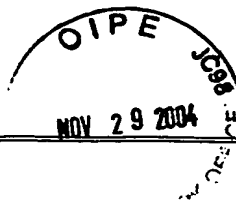
**[ ] Translation of Annexes to International Preliminary Examination Report**

**SERIAL NO.** \_\_\_\_\_

DATE REC'D \_\_\_\_\_

**[ ] SMALL ENTITY IS CLAIMED**





Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 197748US0PCT		SERIAL NO. 09/674,280	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Michinobu NAKAMURA, et al.			
				FILING DATE December 21, 2000		GROUP 1651	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
	AO	JP 6-245790	09/06/94	Japan - English Abstract Only			
	AP	JP 52-079084	07/02/77	Japan - English Abstract Only			
	AQ						
	AR						
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW						
	AX						
	AY						
	AZ					<input type="checkbox"/> Additional References sheet(s) attached	
Examiner					Date Considered		
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

**PATENT ABSTRACTS OF JAPAN**

(11)Publication number : 06-245790

(43)Date of publication of application : 06.09.1994

(51)Int.Cl.

C12P 21/06

(21)Application number : 05-061298

(71)Applicant : NISSHIN FLOUR MILLING CO LTD

(22)Date of filing : 26.02.1993

(72)Inventor : MOTOI HIROBUMI

**(54) OLIGOPEPTIDE MIXTURE AND ITS PRODUCTION****(57)Abstract:**

**PURPOSE:** To obtain an oligopeptide mixture rich in both highly digestible peptides and glutamine by hydrolyzing wheat protein under specified conditions with an alkali protease produced by Bacillus bacteria.

**CONSTITUTION:** The oligopeptide mixture can be obtained by hydrolyzing wheat protein with an alkali protease at pH8.0-11.0 (pref. 9.0-10.0) at 40-70 (pref. 50-60)°C for 5-30 (pref. 10-20) hr. This mixture has the following characteristics: (1) weight-average molecular weight: 200-1000; (2) total content of dipeptide plus tripeptide: ≥50wt.%; (3) free amino acid content: ≤10wt.%; and (4) glutamine content: ≥30wt.%.

**LEGAL STATUS**

[Date of request for examination]

28.06.1999

[Date of sending the examiner's decision of rejection]

[Kind of final disposal of application other than the examiner's decision of rejection or application converted registration]

[Date of final disposal for application]

[Patent number]

3202093

[Date of registration]

22.06.2001

[Number of appeal against examiner's decision of rejection]

[Date of requesting appeal against examiner's decision of rejection]

[Date of extinction of right]

Copyright (C); 1998,2003 Japan Patent Office

**PATENT ABSTRACTS OF JAPAN**

(11)Publication number : 52-079084

(43)Date of publication of application : 02.07.1977

(51)Int.Cl.

C12D 13/06

C12D 13/08

C12B 1/00

(21)Application number : 50-154368

(71)Applicant : MITSUI ENG &amp; SHIPBUILD CO LTD

(22)Date of filing : 24.12.1975

(72)Inventor : NOJIRI MICHIIKO

SUMIYA KAZUO

JODEN SHIGEO

KAMINAKAI KAZUO

MATSUMOTO MASABUMI

**(54) PREPARATION OF MICROBIAL PROTEIN AND FAT AND OIL FROM VEGETABLE CARBOHYDRATE****(57)Abstract:**

**PURPOSE:** A method to obtain the fungus of high protein, and fat and oil content in high yield by liquifying starch with enzyme in a separated process and subsequently saccharifying and cultivating the liquid with enzyme simultaneously in one fermentation tank.

**LEGAL STATUS**

[Date of request for examination]

[Date of sending the examiner's decision of rejection]

[Kind of final disposal of application other than the examiner's decision of rejection or application converted registration]

[Date of final disposal for application]

[Patent number]

[Date of registration]

[Number of appeal against examiner's decision of rejection]

[Date of requesting appeal against examiner's decision of rejection]

[Date of extinction of right]

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